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ATTORNEYS FOR PLAINTIFFS

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CHINA CENTRAL TELEVISION, a China
company; CHINA INTERNATIONAL
COMMUNICATIONS CO., LTD., a China
company; TVB HOLDINGS (USA), INC., a
California corporation; and DISH
NETWORK L.L.C., a Colorado corporation,
Plaintiffs,

vs.

CREATE NEW TECHNOLOGY (HK)
LIMITED, a Hong Kong company; HUA
YANG INTERNATIONAL TECHNOLOGY
LIMITED, a Hong Kong company;
SHENZHEN GREATVISION NETWORK
TECHNOLOGY CO. LTD., a China
company; CLUB TVPAD, INC., a California
corporation; BENNETT WONG, an
individual, ASHA MEDIA GROUP INC.
d/b/a TVPAD.COM, a Florida corporation;
AMIT BHALLA, an individual;
NEWTVPAD LTD. COMPANY d/b/a
NEWTVPAD.COM a/k/a TVPAD USA, a
Texas corporation; LIANGZHONG ZHOU,
an individual; HONGHUI CHEN d/b/a E-
DIGITAL, an individual; JOHN DOE 1 d/b/a
BETV; JOHN DOE 2 d/b/a YUE HAI; JOHN
DOE 3 d/b/a 516; JOHN DOE 4 d/b/a HITV;
JOHN DOE 5 d/b/a GANG YUE; JOHN
DOE 6 d/b/a SPORT ONLINE; JOHN DOE 7
d/b/a GANG TAI WU XIA; and JOHN DOES
8-10,

Defendants.

Case No.
CV 15-1869 SVW (AJWx)

**DECLARATION OF
NICHOLAS BRAAK IN
SUPPORT OF PLAINTIFFS'
MOTION FOR CONTEMPT**

Courtroom: 10A
Judge: Hon. Steven V.
Wilson

DECLARATION OF NICHOLAS BRAAK

I, Nicholas Braak, declare as follows:

1. I make this declaration in support of Plaintiffs' present motion for contempt. I have personal knowledge of the facts contained herein and, if called upon as a witness, I could and would testify competently about these facts, except for those matters stated expressly upon information and belief, which are matters I believe to be true.

2. I am a licensed private investigator and have worked as a computer forensics investigator for more than nine years. I am employed by the Mintz Group LLC ("Mintz"), a corporate research and investigations firm based in New York, with offices in Washington D.C., London, Hong Kong, Beijing, Nairobi, and six other cities throughout the world. I have worked for Mintz since January 2014. During my career in information security and digital forensics, I have participated in hundreds of investigations involving intellectual property rights, cybercrime, Internet forensics, and other matters.

3. Mintz was retained in 2014 by Plaintiffs China Central Television ("CTV"), China International Communications Co., Ltd., TVB Holdings (USA), Inc. ("TVB"), and DISH Network L.L.C. (collectively "Plaintiffs") to investigate the TVpad device manufactured by defendant Create New Technology (HK) Limited ("CNT") and the unlicensed international television programming provided to U.S. consumers through the TVpad device.

4. As discussed in my prior declarations, I have managed the forensic investigation for this matter and conducted research at the direction of Christopher Weil, the lead Mintz investigator. During the course of our investigation, Mintz purchased TVpad3, TVpad4 and blueTV devices. I personally forensically tested each of these devices and confirmed their consistent functionality among devices of the same model. I also personally viewed and caused to be recorded streamed content delivered by these devices and have periodically monitored the continued availability

1 of that streamed content through these devices and the services provided on them. As
2 part of this work, I have periodically identified IP addresses and domain names that
3 the TVpad and blueTV devices and their infringing applications (“apps”) use to
4 function and deliver CCTV and TVB television programming.

5 5. As I stated in my April 17, 2017 and July 10, 2017 declarations [Doc.
6 Nos. 211-1 & 215-1], in my experience, manufacturers (such as CNT) of devices
7 used for copyright infringement—like the TVpad and blueTV devices—often attempt
8 to thwart enforcement actions taken against them by changing the IP addresses and
9 domain names of the online resources utilized by such devices. As I discussed in my
10 prior declarations, since this Court’s issuance of its preliminary injunction order in
11 June 2015, I have observed that CNT has done just this. Plaintiffs have regularly
12 sought to enforce this Court’s injunctions by serving them on third party internet
13 service providers (“ISPs”) who control the domain names and servers that CNT and
14 other Enjoined Parties are using to maintain the functionality of TVpad and blueTV
15 infringing apps and to stream video through those apps; and the Enjoined Parties
16 have responded by speedily setting up new domain names and new servers at new IP
17 addresses in an effort to evade Plaintiffs’ enforcement of this Court’s injunctions.

18 6. In particular, it now appears that the Enjoined Parties are making use of
19 a few select ISPs that—as Plaintiffs’ counsel informs me—have ignored
20 correspondence notifying them of this Court’s injunctions: Azure Technology Co.,
21 Ltd. (“Azure Tech”); ZERO DDOS LLC (“Zero DDOS”); and ClearDDoS
22 Technologies (“Clear DDOS”).

23 7. According to Colorado Secretary of State records, Azure Tech is a
24 Colorado corporation that was originally incorporated as CLOUDDDOS
25 TECHNOLOGY CO., LIMITED (“Cloud DDOS”). According to records maintained
26 by the American Registry for Internet Numbers, an organization that allocates
27 internet resources in North America, Azure Tech and Cloud DDOS share common IP
28 addresses and both are associated with the website located at cloudddos.com and

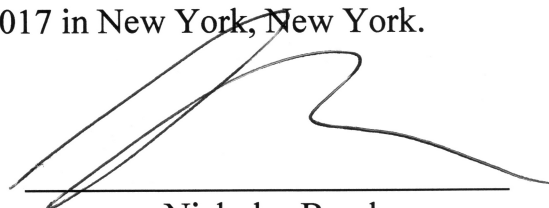
1 email addresses containing the domain name azure-tech.com. This indicates that
2 Azure Tech and Cloud DDOS are commonly owned or operated. True and correct
3 copies of these Colorado Secretary of State and ARIN records are attached hereto as
4 Exhibit 1 hereto.

5 8. In Exhibit 2 hereto I have identified the hosting ISPs, server IP
6 addresses, and domain names that the Enjoined Parties are currently using to evade
7 enforcement of this Court's permanent injunction and to continue perpetrating their
8 infringement of CCTV and TVB television programs. As shown in Exhibit 2, testing
9 conducted from July through September, 2017 shows that Azure Tech and Zero
10 DDOS have continued to provide hosting services to the Enjoined Parties in
11 connection with their enjoined, infringing activities, and testing conducted in July
12 and August, 2017 shows that Clear DDOS has continued to provide hosting services
13 to the Enjoined Parties in connection with their enjoined, infringing activities.

14 I declare under penalty of perjury under the laws of the United States of
15 America that the foregoing is true and correct.

16 Executed this 12th day of October, 2017 in New York, New York.

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Nicholas Braak

EXHIBIT 1



Document must be filed electronically.
Paper documents are not accepted.
Fees & forms are subject to change.
For more information or to print copies
of filed documents, visit www.sos.state.co.us.

Colorado Secretary of State
Date and Time: 07/04/2016 04:33 AM
ID Number: 20141229002
Document number: 20161457965
Amount Paid: \$100.00

ABOVE SPACE FOR OFFICE USE ONLY

Statement Curing Delinquency

filed pursuant to §7-90-904 of the Colorado Revised Statutes (C.R.S)

1. For the delinquent entity, its ID number, entity name and jurisdiction of formation are

ID number 20141229002
(Colorado Secretary of State ID number)

Entity name AZURE TECHNOLOGY CO., LIMITED

Jurisdiction where formed Colorado.

2. By providing the information required herein, this statement corrects all grounds for delinquency cited by the secretary of state.

3. The registered agent name and registered agent address of the registered agent are

Name
(if an individual) GU Guosheng
(Last) (First) (Middle) (Suffix)

OR

(if an entity) _____
(**Caution:** Do not provide both an individual and an entity name).

The person appointed as registered agent above has consented to being so appointed.

Street address 1644 Sherman Street
(Street number and name)

Denver CO 80203
(City) (State) (Zip Code)

Mailing address
(leave blank if same as street address) _____
(Street number and name or Post Office Box information)

(City) CO _____
(State) (Zip Code)

(If the following statement applies, adopt the statement by marking the box.)

- ☐ The mailing address in the records of the Secretary of State is no longer different than the street address and is no longer required.

4. The principal office address of the entity's principal office is

Street address 780 Epperson Dr.,
(Street number and name)
City of Industry CA 91748
(City) (State) (Postal/Zip Code)
United States
(Province – if applicable) (Country – if not US)
Mailing address
(leave blank if same as street address) (Street number and name or Post Office Box information)
(City) (State) (Postal/Zip Code)
(Province – if applicable) (Country – if not US)

(If the following statement applies, adopt the statement by marking the box.)

☐ The mailing address in the records of the Secretary of State is no longer different than the street address and is no longer required.

5. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains additional information as provided by law.

6. (**Caution:** Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

7. The true name and mailing address of the individual causing the document to be delivered for filing are

GU GUOSHENG
(Last) (First) (Middle) (Suffix)
780 Epperson Dr.
(Street number and name or Post Office Box information)
city of industry CA 91748
(City) (State) (Postal/Zip Code)
(Province – if applicable) (Country – if not US)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

- ☐ This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

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Colorado Secretary of State
Date and Time: 05/02/2016 11:14 PM
ID Number: 20141229002
Document number: 20161315832
Amount Paid: \$25.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Amendment

filed pursuant to §7-90-301, et seq. and §7-110-106 of the Colorado Revised Statutes (C.R.S.)

ID number: 20141229002

1. Entity name: CLOUDDDOS TECHNOLOGY CO., LIMITED
(If changing the name of the corporation, indicate name before the name change)

2. New Entity name:
(if applicable) AZURE TECHNOLOGY CO., LIMITED

3. Use of Restricted Words *(if any of these terms are contained in an entity name, true name of an entity, trade name or trademark stated in this document, mark the applicable box):*

- ☐ "bank" or "trust" or any derivative thereof
☐ "credit union" ☐ "savings and loan"
☐ "insurance", "casualty", "mutual", or "surety"

4. Other amendments, if any, are attached.

5. If the amendment provides for an exchange, reclassification or cancellation of issued shares, the attachment states the provisions for implementing the amendment.

6. If the corporation's period of duration as amended is less than perpetual, state the date on which the period of duration expires: _____
(mm/dd/yyyy)

or

If the corporation's period of duration as amended is perpetual, mark this box: ☐

7. (Optional) Delayed effective date: _____
(mm/dd/yyyy)

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Causing this document to be delivered to the secretary of state for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the secretary of state, whether or not such individual is named in the document as one who has caused it to be delivered.

8. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

<u>GU</u>	<u>GUOSHENG</u>		
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>36 South 18th Ave</u>			
<small>(Street name and number or Post Office information)</small>			
<hr/>			
<u>Brighton</u>	<u>CO</u>	<u>80601</u>	
<small>(City)</small>	<small>(State)</small>	<small>(Postal/Zip Code)</small>	
<u></u>	<u>United States</u>		
<small>(Province – if applicable)</small>	<small>(Country – if not US)</small>		

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark this box ☐ and include an attachment stating the name and address of such individuals.)

Disclaimer:

This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.



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Colorado Secretary of State
Date and Time: 04/07/2014 07:05 PM
ID Number: 20141229002
Document number: 20141229002
Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

Articles of Incorporation for a Profit Corporation

filed pursuant to § 7-102-101 and § 7-102-102 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name for the corporation is

CLOUDDDOS TECHNOLOGY CO., LIMITED

(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)

2. The principal office address of the corporation's initial principal office is

Street address

SHUIKOU,WENSHUI VILLAGE,BAIDU TOWN

(Street number and name)

MEI COUNTY

(City)

514700

(State)

(ZIP/Postal Code)

GUANGDONG PROVINCE

(Province – if applicable)

China

(Country)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

(State)

(ZIP/Postal Code)

(Province – if applicable)

(Country)

3. The registered agent name and registered agent address of the corporation's initial registered agent are

Name

(if an individual)

GU

(Last)

Guosheng

(First)

(Middle)

(Suffix)

or

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Street address

1644 Sherman Street

(Street number and name)

Denver

(City)

CO

(State)

80203

(ZIP/Postal Code)

Mailing address

(leave blank if same as street address)

(Street number and name or Post Office Box information)

(City)

CO
(State)

(ZIP/Postal Code)

(The following statement is adopted by marking the box.)

☒ The person appointed as registered agent above has consented to being so appointed.

4. The true name and mailing address of the incorporator are

Name
(if an individual) GU Guosheng
(Last) (First) (Middle) (Suffix)

or

(if an entity)
(Caution: Do not provide both an individual and an entity name.)

Mailing address SHUIKOU,WENSHUI VILLAGE,BAIDU TOWN
(Street number and name or Post Office Box information)

MEI COUNTY OR 514700
(City) (State) (ZIP/Postal Code)
GUANGDONG PROVINCE United States.
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ The corporation has one or more additional incorporators and the name and mailing address of each additional incorporator are stated in an attachment.

5. The classes of shares and number of shares of each class that the corporation is authorized to issue are as follows.

☒ The corporation is authorized to issue 50,000 common shares that shall have unlimited voting rights and are entitled to receive the net assets of the corporation upon dissolution.

☐ Information regarding shares as required by section 7-106-101, C.R.S., is included in an attachment.

6. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

☐ This document contains additional information as provided by law.

7. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are _____.
(mm/dd/yyyy hour:minute am/pm)

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8. The true name and mailing address of the individual causing the document to be delivered for filing are

GU Guosheng _____
(Last) (First) (Middle) (Suffix)
SHUIKOU,WENSHUI VILLAGE,BAIDU TOWN
(Street number and name or Post Office Box information)

MEI COUNTY _____ 514700
(City) (State) (ZIP/Postal Code)
GUANGDONG PROVINCE China
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

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Entity Name:CLOUDDDOS TECHNOLOGY CO., LIMITED

The corporation is authorized to issue 50000 common shares that shall have unlimited voting rights and are entitled to receive the net assets of corporation upon dissolution.

1.Guosheng GU(Director&Shareholder)

#of Shares	Type of Stock	\$Value per Share
12500	Per Value	1

SHUIKOU,WENSHUI VILLAGE,BAIDU TOWN,
MEI COUNTY,
GUANGDONG PROVINCE,CHINA
Postal:514700

2.Guan WANG(Director&Shareholder)

#of Shares	Type of Stock	\$Value per Share
12500	Per Value	1

NO.12,WANGWU,DAWOLI,MEIZI VILLAGE,
FUXING SUBDISTRICT OFFICE,
XINGNING CITY,GUANGDONG PROVINCE,CHINA
Postal:514500

3.Binyan JI(Director&Shareholder)

#of Shares	Type of Stock	\$Value per Share
12500	Per Value	1

3/F,NO.23,LANE 11,JINHE,ANHE ST.,XINJIN SUBDISTRICT,
LONGHU DISTRICT,SHANTOU CITY,
GUANGDONG PROVINCE,CHINA
Postal:515000

4.Fan ZHANG(Director&Shareholder)

#of Shares	Type of Stock	\$Value per Share
12500	Per Value	1

RM405,BLDG 15,NO.53,RENMIN AVE.,
XIASHAN DISTRICT,ZHANJIANG CITY,
GUANGDONG PROVINCE,CHINA
Postal:524000

WHOIS-RWS

You searched for: **AS53587**

Autonomous System Number	
Number	53587
Name	AZT
Handle	AS53587
Organization	AZURE TECHNOLOGY CO., LIMITED (CTC-211)
Registration Date	2014-06-12
Last Updated	2017-01-13
Comments	www.cloudddos.com
RESTful Link	https://whois.arin.net/rest/asn/AS53587
See Also	Organization's POC records.

Organization	
Name	AZURE TECHNOLOGY CO., LIMITED
Handle	CTC-211
Street	1644 Sherman Street
City	Denver
State/Province	CO
Postal Code	80203
Country	US
Registration Date	2014-04-30
Last Updated	2017-01-28
Comments	
RESTful Link	https://whois.arin.net/rest/org/CTC-211

Function	Point of Contact
Admin	LUUOK-ARIN (LUUOK-ARIN)
Abuse	ABUSE4790-ARIN (ABUSE4790-ARIN)
Tech	TST194-ARIN (TST194-ARIN)
NOC	TST194-ARIN (TST194-ARIN)

Point of Contact	
Note	ARIN has attempted to validate the data for this POC, but has received no response from the POC since 2017-08-04
Name	Luo , Ken
Handle	LUUOK-ARIN

Company	Azure Technology Co.,Limited
Street	1644 Sherman Street
City	Denver
State/Province	CO
Postal Code	80203
Country	US
Registration Date	2014-04-29
Last Updated	2016-08-05
Comments	www.SANLAYER.COM Standard Noc Hours are 7am to 11PM PST
Phone	+1-805-334-5945 (Office)
Email	terry@azure-tech.com
RESTful Link	https://whois.arin.net/rest/poc/LUUOK-ARIN

Point of Contact	
Name	Abuse
Handle	ABUSE4790-ARIN
Company	CouldDDoS Technology Co.,Limited
Street	1644 Sherman Street
City	Denver
State/Province	CO
Postal Code	80203
Country	US
Registration Date	2014-07-02
Last Updated	2017-07-19
Comments	www.cloudddos.com
Phone	+1-805-334-5945 (Office)
Email	abuse@azure-tech.com
RESTful Link	https://whois.arin.net/rest/poc/ABUSE4790-ARIN

Point of Contact	
Name	Tech Support Team
Handle	TST194-ARIN
Company	CouldDDoS Technology Co.,Limited
Street	1644 Sherman Street
City	Denver
State/Province	CO
Postal Code	80203
Country	US

Registration Date	2014-08-19
Last Updated	2016-08-23
Comments	Standard NOC hours are 7am to 11pm EST
Phone	+1-805-334-5945 (Office)
Email	ts@azure-tech.com
RESTful Link	https://whois.arin.net/rest/poc/TST194-ARIN

EXHIBIT 2

TVpad TV China app Server IP Addresses and Domain Names July 2017, August 2017, September 2017

Host	IP address	Date of detection	Function
TVPad 4 connected through a US IP address			
Zero DDOS	104.167.81.54	July 28, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	104.171.230.78	August 8, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	104.171.230.8	July 28, 2017 August 8, 2017	Live Streaming Video
Azure Tech	104.171.230.15	July 28, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	104.171.230.106	July 28, 2017 August 11, 2017	Live Streaming Video
Azure Tech	45.61.239.141	August 8, 2017 August 11, 2017	Live Streaming Video
Azure Tech	45.61.239.127	July 28, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	45.61.239.185	August 8, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Clear DDOS	162.221.15.117	August 8, 2017 August 11, 2017	Live Streaming Video
Clear DDOS	162.221.15.120	July 28, 2017	Live Streaming Video

blueTV Server IP Addresses and Domain Names July 2017, August 2017, September 2017

Host	IP address	Date of detection	Function
blueTV connected through a US IP address			
Zero DDOS	104.167.81.54	August 11, 2017	Live Streaming Video
Azure Tech	104.171.230.78	August 8, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	104.171.230.8	July 28, 2017 August 8, 2017	Live Streaming Video
Azure Tech	104.171.230.15	August 8, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	104.171.230.106	August 8, 2017 August 11, 2017	Live Streaming Video
Azure Tech	45.61.239.141	August 8, 2017 August 11, 2017	Live Streaming Video
Azure Tech	45.61.239.127	August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	45.61.239.185	July 28, 2017 August 8, 2017 August 11, 2017 September 11, 2017	Live Streaming Video
Azure Tech	45.61.239.38	July 28, 2017 August 8, 2017	Live Streaming Video
Clear DDOS	162.221.15.117	August 8, 2017 August 11, 2017	Live Streaming Video